IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 10754 of 2006(E)

PETITIONER:

UNNIKRISHNAN M.K., S/O. KOCHUKUTTA PANICKER, AGED 54, HEAD WORKER, SUB JAIL, IRINJALAKUDA.

BY ADV. SRI.JOHNSON MANAYANI,
SRI.P.V.PAULSON.

RESPONDENTS:
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1. **DIRECTOR GENERAL OF POLICE, PRISONS, JAIL QUARTERS, TRIVANDRUM.**
2. **THE SUPERINTENDENT OF SUB JAIL, IRINJALAKUDA.**
3. **SECRETARY TO FINANCE, SECRETARIAT, TRIVANDRUM.**
4. **THE STATE OF KERALA, REP. BY ITS CHIEF SECRETARY, SECRETARIAT, TRIVANDRUM.**

***ADLL.R5. SECRETARY TO GOVERNMENT, DEPARTMENT OF PRISONS, SECRETARIAT, TRIVANDRUM.**

***IS IMPLEADED AS ADDL.R5. AS PER ORDER DATED 12/06/2007 IN I.A. NO. 7616/2007.**

BY SPL. GOVERNMENT PLEADER SRI. N. MANOJ KUMAR .

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.10754/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE R.1. DTD. NIL.

EXT.P.2: COPY OF THE COVERING LETTER AND ALSO THE REJECTION LETTER.

EXT.P.3: COPY OF THE G.O (P). NO. 365/05/(150)/FIN.

EXT.P.4: COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE R.1. DTD. 20/10/2005.

EXT.P.5: COPY OF THE REOPTION DECLARATION ALONG WITH THE COVERING LETTER OF THE PETITIONER FILED BEFORE THE R.2. DTD. 28/10/2005.

EXT.P.6: COPY OF THE ORDER DTD. 03/10/2005 OF THE SUPERINTENDENT, CENTRAL PRISONS, TRIVANDRUM.

EXT.P.7: COPY OF THE JUDGMENT IN W.P.(C). NO. 1024/2006.

EXT.P.8: COPY OF THE G.O. (MS). NO. 581/95 (53)/FIN. DTD. 27/09/1995.

EXT.P.9: COPY OF THE ORDER DTD. 24/02/2006 OF THE R.1.

EXT.P.10: COPY OF THE JUDGMENT IN W.P.(C). NO. 18485/2006 DT. 14/07/2006.

EXT.P.11: COPY OF THE PETITION FILED BY THE PETITIONERS BEFORE THE SECRETARY TO DEPARTMENT OF PRISONS, TRIVANDRUM, DTD. 10/05/2007.

//TRUE COPY//

prv.

K. BALAKRISHNAN NAIR, J.

W.P.(C) No.10754 of 2006 (E)

Dated this the 12th June, 2007.

JUDGMENT

The petitioner has approached this Court challenging Ext.P9 order, by which his representation has been rejected by the Director General of Prisons. The petitioner points out, he has preferred a representation before the Additional 5th respondent, a copy of which is produced as Ext.P11. The learned counsel for the petitioner submitted that the writ petition may be disposed of directing the additional 5th respondent to consider and pass orders on Ext.P11. According to him, similar directions were issued by this Court, in Ext.P10 judgment, in the case of similarly placed persons, and the writ petitioners therein have been granted relief by the Government as per G.O.Rt.1220/2007/Home dated 2.5.2007.

2. Heard the learned Government Pleader for the respondents.

This writ petition is disposed of directing the Additional 5th respondent to consider and pass orders on Ext.P11, if the same is received and pending, within three months from the date of production of a copy of this judgment.

K. BALAKRISHNAN NAIR,
JUDGE.

vav.